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11/16/01

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Royan H. Bartley et al. : Date: August 21, 2001  
Group Art Unit: Unassigned : IBM Corporation  
Examiner: Unassigned : Intellectual Property Law  
Serial No.: 09/892,424 : Dept. 917, Bldg. 006-1  
Filed: June 27, 2001 : 3605 Highway 52 North  
Title: APPARATUS, METHOD, AND BUSINESS : Rochester, MN 55901-7829  
METHOD FOR ENABLING CUSTOMER  
ACCESS TO COMPUTER SYSTEM  
PERFORMANCE DATA IN EXCHANGE  
FOR SHARING THE PERFORMANCE  
DATA

RECEIVED

AUG 28 2001

Technology Center 2100

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants request that the information listed on the attached Form PTO-1449 be considered by the Office during the pendency of the above entitled application, pursuant to 37 C.F.R. §1.97. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not constitute an admission that any information cited therein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b). In the interest of full and complete disclosure to the Office, some or all of the art cited herein may not be considered by Applicant(s) or the Undersigned to be material under the new standard of materiality defined in 37 C.F.R. §1.56(b), enacted March 16, 1992, but may be material under the old standard of materiality defined in 37 C.F.R. §1.56(a), last amended on November 28, 1988, or may merely be technical background which may be of interest to the Examiner. In accordance with

Serial No. 09/892,424  
Docket No. ROC920000298US1

PATENT

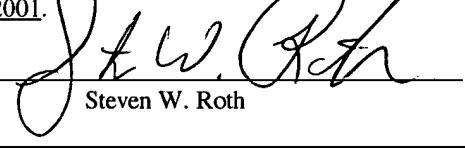
37 C.F.R. §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(b)(1) within three months of the filing date of the present application. Accordingly no filing fee is required.

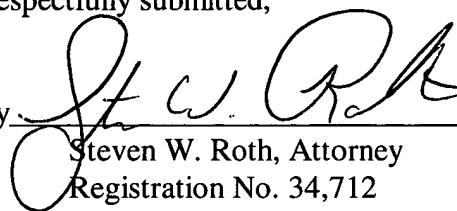
Date: August 21, 2001

**CERTIFICATE OF MAILING UNDER  
37 C.F.R. 1.8(a)**

I hereby certify that the enclosed or attached correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on August 21, 2001.

  
\_\_\_\_\_  
Steven W. Roth

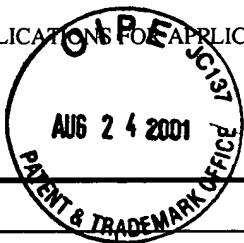
Respectfully submitted,

By   
\_\_\_\_\_  
Steven W. Roth, Attorney  
Registration No. 34,712

Telephone: (507) 253-1600  
Fax: (507) 253-2382

FORM PTO-1449 (Modified)

LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS  
INFORMATION  
DISCLOSURE STATEMENT  
(Use several sheets if necessary)

ATTY. DOCKET NO.  
ROC9200010298US1SERIAL NO.  
09/892,424APPLICANT:  
Royan H. Bartley et al.FILING DATE:  
June 27, 2001GROUP:  
Unassigned **Technology Center 2100****RECEIVED**

AUG 28 2001

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE (IF APPRO.)
AA							
AB							
AC							
AD							
AE							
AF							
AG							
AH							
AI							
AJ							
AK							

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
							YES	NO
	AL							
	AM							
	AN							
	AO							
	AP							

## OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

AR	U.S. Patent Application, "Apparatus, Method, and Business Method for Enabling Customer Access to Computer System	
	Execution Data in Exchange for Sharing the Execution Data," Serial No. 09/892,435, filed on June 27, 2001.	
AS	U.S. Patent Application, "Method and Apparatus for Automating Software Upgrades," Serial No. 09/912,975,	
	filed on July 25, 2001.	
AT	U.S. Patent Application, "Method and Apparatus Upgrade Assistance Using Critical Historical Product Information,"	
	Serial No., 09/865,371, filed on May 25, 2001.	

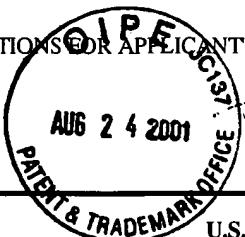
EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 (Modified)

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BB							
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BF							
BG							
BH							
BI							
BJ							
BK							

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
							YES	NO
	BL							
	BM							
	BN							
	BO							
	BP							

## OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

BR	U.S. Patent Application, "Physical Device Placement Assistant," Serial No. 09/865,798, filed on May 25, 2001.		
BS	AS/400 Publication, "Performance Management/400 Offerings and Services, including Performance Management/400 - Subset,"		
	Version 3, SC41-0145-02, September 1994.		
BT			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.